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RUEHCV/AMEMBASSY CARACAS IMMEDIATE 1677
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C O N F I D E N T I A L QUITO 000818

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E.O. 12958: DECL: 09/06/2014
TAGS: [PREL](#) [MARR](#) [SNAR](#) [PTER](#) [EC](#)
SUBJECT: AMBASSADOR ENCOURAGES GREATER MARITIME COOPERATION

Classified By: PolOff Jarahn Hillsman, Reasons 1.4 (b&d)

11. (C) Summary: The Ambassador met on March 30 with MFA Sovereignty U/S Diego Stacey and other MFA officials to discuss the recent rise in the use of Ecuadorian flagged fishing vessels to smuggle drugs and request additional bilateral cooperation to counter it. The Ambassador delivered a detailed presentation highlighting recent bilateral successes, the impediments to stronger enforcement in the region, and suggesting several areas for enhanced cooperation. U/S Stacey thanked the Ambassador, and expressed GOE concern over the growing narcotics trafficking problem, and his government's interest in improving maritime law enforcement cooperation with the US. Stacey insisted, however, that constitutional restrictions and domestic politics would continue to preclude the GOE from allowing U.S. military ships to operate within 12-200 nautical miles of Ecuadorian territory or of extraditing citizens. End Summary.

12. (C) The meeting was requested by the Ambassador to highlight the recent spike in narcotrafficking under Ecuador flagged fishing vessels, and to explore avenues for greater cooperation on the issue. She was accompanied by the DCM, Coast Guard Attache, DEA Director, and PolOff. U/S Stacey was joined by Director General for Human Rights, Environment and Social Affairs Minister Augusto Saa, Legal Advisor Dr. Marcelo Vasquez, and acting Director General for Bilateral Affairs Ambassador Marco Samaniejo.

Ambassador Outlines Problem

13. (C) The Ambassador highlighted USG concerns that narcotraffickers, under the perception of impunity in Ecuador, have largely shifted from Colombian to Ecuadorian flagged fishing vessels. She thanked the GOE for its efforts and highlighted recent interdiction successes. The Ambassador explained that recent shifts are due to: the Ecuadorian Navy's inability to patrol the 12-200 nautical mile claim; Colombia's recent policy requiring all their fishing vessels to have transponders; the lack of a maritime law enforcement agreement between the U.S. and GOE; and Ecuador's constitutional restriction against extradition of its citizens. Ecuador's lengthy judicial process creates an impression of impunity, attracting traffickers to Ecuador. To counter these challenges, the Ambassador suggested the GOE conclude a maritime agreement with the U.S., recommended that

the MFA sign the pending CNIES agreement, urged the GOE to explore the possibility of allowing U.S. ships to patrol within 12-200 nautical miles of the coast, and to consider ways to send suspected Ecuadorian narcotraffickers to the U.S. for prosecution.

MFA: Extradition Impossible

¶4. (C) U/S Stacey and his team diligently took notes during the Ambassador's presentation, interrupting to clarify or engage in dialogue periodically. U/S Stacey reiterated the GOE policy that constitutional restrictions and current political realities make it impossible for the GOE to allow extradition of its citizens. He said that the MFA had been working to get Congress to adopt the Law of the Sea Convention, without success. Stacey asked if the U.S. had ratified the convention. The DCM noted that U.S. law, regardless of the convention's ratification, respected international norms.

MFA: Judicial Reform Needed

¶5. (C) U/S Stacey said that in his opinion the central impediment to tougher enforcement is the Ecuadorian judicial system. He suggested that the U.S. consider contacting the court directly to expedite handling of the 95 pending trafficking cases, and offered to coordinate such a meeting. He also said the U.S. should consider supporting judicial reforms in Ecuador. The Ambassador replied that the U.S. was aware of Ecuador's judicial shortcomings, and that the U.S. was already engaged in judicial reform support through the OAS.

MFA: Transponders a Possibility

¶6. (C) U/S Stacey and his team expressed interest in our proposal that the GOE require transponders on all Ecuadorian flagged fishing vessels, but expressed concern over the challenge of financing this effort. The Ambassador and DEA Director noted Colombia's success with the policy, which would also help with search and rescue efforts for migrant smuggler vessels.

Ecuadorian Consumption on the Rise

¶7. (C) U/S Stacey asked about U.S. drug demand reduction campaigns. The Ambassador said that the issue is very difficult and costly to combat, but noted that drug consumption among teenagers for the first time declined in ¶2005. She also noted that transit countries, such as Ecuador, typically see a steady rise in domestic drug consumption. DG for Human Rights, Environment and Social Affairs Augusto Saa agreed, citing a recent study that showed an increase in Ecuadorian drug consumption.

Comment

¶8. (C) This was our initial high-level attempt to alert key GOE officials to important changes in narcotrafficking activity that infringe on Ecuadorian sovereignty. It will not be our last. We are encouraged by prospects to move forward on a maritime cooperation agreement and CNIES, and will continue to push to improve cooperation within the Ecuadorian territorial sea claim.

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